

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA  
AT CLARKSBURG**

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GILEAD SCIENCES, INC. and	)	Case No. 1:14-cv-099-IMK
EMORY UNIVERSITY,	)	
	)	
Plaintiffs,	)	
v.	)	
	)	
MYLAN INC. and	)	
MYLAN PHARMACEUTICALS INC.,	)	
	)	
Defendants.	)	

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**MYLAN INC.'S AND MYLAN PHARMACEUTICALS INC.'S  
RESPONSE TO PLAINTIFFS' MOTION TO STRIKE**

Mylan Inc. and Mylan Pharmaceuticals Inc. ("Mylan") hereby respond to Plaintiffs' Motion to Strike Mylan's Third Separate Defense (Dkt. No. 104) and give notice that Mylan does not oppose the motion. Mylan does not waive, and expressly reserves, its right to seek amendment of its answer at a later date, should the ongoing discovery provide good cause to seek amendment. Without limiting the scope of what the ongoing discovery may disclose, Mylan reserves its right to approach the Court for relief should there be a basis to seek amendment of its answer to assert inequitable conduct.

Respectfully submitted this 18th day of March 2015.

*/s/ Gordon H. Copland*

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**CERTIFICATE OF SERVICE**

I hereby certify that on March 19, 2015, I filed the foregoing **MYLAN INC.'S AND MYLAN PHARMACEUTICALS INC.'S RESPONSE TO PLAINTIFFS' MOTION TO STRIKE** via CM/ECF, which will send notice to the following counsel of record:

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